THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.18082 OF 2006

Dated 09-04-2007

Between:

M/s Chilukuri Bapi Raju and Bros. …Petitioner

And

The Commercial Tax Officer
And another …Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.18082 OF 2006

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O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard learned counsel for the parties.

Pending appeal, application for stay was made by the petitioner before the Additional Commissioner-the second respondent, who rejected the same. Thereafter the first respondent issued the notice dated 19-08-2006 to recover the disputed tax. Therefore, the writ petition was filed and while entertaining the writ petition on 20-09-2006, this Court granted interim stay of recovery. We understand that the appeal is still pending before the Sales Tax Appellate Tribunal. Hence, we think that no purpose will be served to keep this writ petition on board.

In this view of the matter, we dispose of the writ petition with a direction to the Sales Tax Appellate Tribunal to decide the appeal filed by the petitioner, within a period of four weeks from the date of receipt of a copy of this order. Till the appeal is decided, the stay granted by this Court on 20-09-2006 shall remain operative. Copy of this order be sent to the Tribunal. No order as to costs.

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(Bilal Nazki,J)

Dated 9th April, 2007

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(Nooty Ramamohana Rao,J)

Note: A copy of this order
be sent to the Tribunal
forthwith

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